

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL REAPE,

Plaintiff,

09 Civ. 1363 (BMC)

-against-

POLICE OFFICER ALEXANDRO BERRIOS
AND POLICE OFFICER MAURICE FYFFE,

Defendants.

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VERDICT FORM

COURT EXHIBIT

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I. EXCESSIVE FORCE

1. Has plaintiff proven by a preponderance of the evidence that defendant Alexandro Berrios used excessive force against him?

YES _____

NO ☒ _____

Proceed to Question 2

2. Has plaintiff proven by a preponderance of the evidence that defendant Maurice Fyffe used excessive force against him?

YES _____

NO ☒ _____

Proceed to Question 3

II. ASSAULT

3. Has plaintiff proven by a preponderance of the evidence that defendant Berrios assaulted him?

YES _____

NO ☒ _____

Proceed to Question 4

4. Has plaintiff proven by a preponderance of the evidence that defendant Fyffe assaulted him?

YES _____

NO ☒ _____

Proceed to Question 5

III. BATTERY

5. Has plaintiff proven by a preponderance of the evidence that defendant Berrios committed a battery against him?

YES _____

NO ✓ _____

Proceed to Question 6

6. Has plaintiff proven by a preponderance of the evidence that defendant Fyffe committed a battery against him?

YES _____

NO ✓ _____

If you answered NO to Questions 1 through 6 then your deliberations are over and your verdict is complete. If you answered YES to Question 1, 2, 3, 4, 5, or 6, then proceed to Question 7.

7. State the total dollar amount, if any, of compensatory damages that plaintiff is entitled to recover.

Compensatory Damages \$ _____

If you find that plaintiff is entitled to compensatory damages then proceed to Question 8. If you find that plaintiff is not entitled to compensatory damages then skip to Question 9.

8. Of the compensatory damages that plaintiff sustained, indicate how much, if any, each defendant is liable for:

Defendant Berrios \$ _____

Defendant Fyffe \$ _____

Proceed to Question 10

9. If you find that plaintiff is not entitled to compensatory damages, then award him nominal damages in the sum of \$1.00.

Nominal Damages \$ _____

Proceed to Question 10

10. Has plaintiff proven by a preponderance of the evidence that punitive damages should be awarded against defendant Berrios?

Yes _____ No _____

If you answered YES, state the amount. \$ _____.

Proceed to Question 11

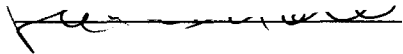
11. Has plaintiff proven by a preponderance of the evidence that punitive damages should be awarded against defendant Fyffe?

Yes _____ No _____

If you answered YES, state the amount. \$_____.

We, the Jury duly empanelled and sworn in the above-entitled action, upon our oaths, do find the above verdict.

/s/



Foreperson

Dated: June 14, 2011